

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF NEW YORK

American States Utility Services, Inc.,)
)
Plaintiff)
)
v.)
) Civil Action No. 07 CIV 8199
Petrus Environmental Services, Inc. and)
National O&M,)
)
Defendants)

WAIVER OF THE SERVICE OF SUMMONS

To: Barry H. Goldstein

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from January 11, 2008, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date:

01/14/08

Attorney for Petrus Environmental Services, Inc.

Melvin Saxe